



3732

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PTO/SB/21 (08-00)

Approved for use through 10/31/02. OMB 0651-0031

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

6 pages

Application Number

09/816,641

Filing Date

March 22, 2001

First Named Inventor

Daniel JACOBS

Group Art Unit

3732

Examiner Name

To Be Assigned

Attorney Docket No.

235692000121

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10 31 00 MAIL ROOM**ENCLOSURES (check all that apply)**

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form                                   | <input type="checkbox"/> Assignment Papers<br>(for an Application)                         | <input type="checkbox"/> After Allowance Communication to Group                               |
| <input type="checkbox"/> Fee Attached   | <input type="checkbox"/> Drawing(s)  | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences           |
| <input type="checkbox"/> Amendment / Reply                                      | <input type="checkbox"/> Licensing-related Papers  | <input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final  | <input type="checkbox"/> Petition  | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declarations                                | <input type="checkbox"/> Petition to Convert to a Provisional Application                  | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                              | <input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):               |
| <input type="checkbox"/> Express Abandonment Request                            | <input type="checkbox"/> Terminal Disclaimer   | 1. Form PTO-1449 - 2 pages  |
| <input checked="" type="checkbox"/> Information Disclosure Statement - 3 pages  | <input type="checkbox"/> Request for Refund  | 2. Return receipt postcard  |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                 | <input type="checkbox"/> CD, Number of CD(s) _____   |   |
| <input type="checkbox"/> Response to Missing Parts/<br>Incomplete Application   | Remarks  |   |
| <input type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or 1.53 |  |   |

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Firm

Morrison &amp; Foerster LLP, 755 Page Mill Road, Palo Alto, California 94304-1018

or

Individual Name

Johney U. Han (Registration No. 45,565)

Signature

Date

November 27, 2001

**CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on November 27, 2001.

  
Patricia Ellison

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PATENT  
Docket No. 235692000121

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*Patricia Ellison*  
Patricia Ellison

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Daniel JACOBS et al.

Serial No.: 09/816,641

Filing Date: March 22, 2001

For: MULTI-POINT TISSUE TENSION  
DISTRIBUTION DEVICE, A  
COMBINED ORBITAL RIM REPAIR  
AND SUSPENSION VARIATION, AND  
A METHOD OF TISSUE  
APPROXIMATION USING THE  
DEVICE

Examiner: To Be Assigned

Group Art Unit: 3732

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INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 AND § 1.98

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents numbered 1-27 were previously submitted in an Information Disclosure Statement, and Supplemental Information Disclosure Statement, and/or Office Action, directed to the related application Serial Number 09/574,603 and filed May 19, 2000, and accordingly, copies

are not submitted herewith. This protocol confirms with 37 C.F.R. § 1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

This Information Disclosure Statement is submitted:

- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \* is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of \* is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

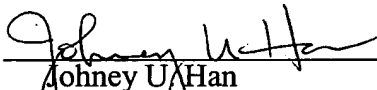
The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is to the best of my knowledge and is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by

third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 235692000121. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: November 27, 2001

Respectfully submitted,

By:   
Johny U. Han  
Registration No. 45,565

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Form PTO-1449

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number: 235692000121

Application Number : 09/816,641

Applicant

Daniel JACOBS et al.

Filing Date: March 22, 2001

Group Art Unit: 3732

Mailing Date : November 27, 2001

## U.S. PATENT DOCUMENTS

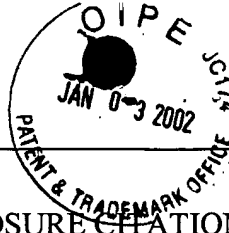
Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	05/27/1947	2,421,193	Gardner			
	2.	05/31/1949	2,472,009	Gardner			
	3.	03/07/1972	3,646,615	Ness			
	4.	04/07/1981	4,259,959	Walker			
	5.	02/14/1984	4,430,998	Harvey et al.			
	6.	08/20/1985	4,535,772	Sheehan			
	7.	09/09/1986	4,610,250	Green			
	8.	09/12/1989	4,865,026	Barrett			
	9.	01/05/1993	5,176,692	Wilk et al.			
	10.	01/19/1993	5,179,964	Cook			
	11.	11/23/1993	5,263,973	Cook			
	12.	08/30/1994	5,342,395	Jarett et al.			
	13.	07/02/1996	5,531,760	Alwafaie			
	14.	07/02/1996	5,531,790	Frechet et al.			
	15.	11/05/1996	5,571,216	Anderson			
	16.	12/17/1996	5,584,859	Brotz			
	17.	09/02/1997	5,662,714	Charvin et al.			
	18.	03/03/1998	5,723,009	Frechet et al.			
	19.	06/29/1999	5,916,224	Esplin			
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	21.	09/21/1999	5,954,747	Clark			
	22.	10/09/1999	5,968,097	Frechet et al.			
	23.	03/21/2000	6,039,741	Meislin			
	24.	07/04/2000	6,083,244	Lubbers et al.			
	25.	08/22/2000	6,106,544	Brazeau			
	26.	01/02/2001	6,168,633 B1	Shoher et al.			

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Form PTO-1449

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number: 235692000121

Application Number : 09/816,641

Applicant

Daniel JACOBS

Filing Date: March 22, 2001

Art Unit: 3732

Mailing Date : November 27, 2001

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27.	07/31/2001	6,267,772 B1	Mulhauser et al.
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FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
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OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

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